

REMARKS

Claims 1-5, 7-16 and 18-27 are pending in this application. By this Amendment, claims 6 and 17 are cancelled without prejudice or disclaimer, claims 3, 7, 14 and 16 are amended and new claims 18-27 are added. Amendments may be made to the claims for clarity and are unrelated to issues of patentability.

The Office Action rejects claims 1-17 under 35 U.S.C. §103(a) over U.S. Patent 5,452,397 to Ittycheria et al. (hereafter Ittycheria) in view of Patent 5,167,004 to Netsch et al. (hereafter Netsch). The rejections are respectfully traversed.

Independent claim 1 recites comparing the similarity of the retrieved word with the similarity reference value to report a voice recognition failure when the compared result is below the reference value, and to report a voice recognition success and perform the command corresponding to the recognized word when the compared result is at least the reference value. Independent claim 1 further recites modifying the reference voice model based on the characteristics of the voice data which succeeded in the voice recognition.

Ittycheria and Netsch do not teach or suggest all of the features of independent claim 1. The Office Action does not even discuss all of the claim 1 features and thus does not make a *prima facie* case of obviousness. For example, claim 1 specifically recites comparing a similarity of the retrieved word with the similarity reference value to report a voice recognition failure when the compared result is below the reference value, and to report a voice recognition success and perform the command corresponding to the recognized word when the compared result is at least the reference value. The Office Action appears to reference Ittycheria's Figure 3 and 7 and

column 6, lines 40-67 for these features. However, Figure 3 merely relates to an update process and Figure 6 illustrates the system. Furthermore, column 6, lines 40-67 relates to various circuitry relating to the vocabulary list. This circuitry may assign probability and/or play a message stating that the first-received phrase is similar to at least one of the other phrases. At no point in this discussion is there any discussion regarding reporting a voice recognition success and to perform the command corresponding to the recognized word when the compared result is at least the reference value. In discussing claim 1, the Office Action does not even address the features relating to performing the command corresponding to the recognized word. Applicant has previously argued in the April 21st Amendment that Ittycheria does not teach or suggest these features.

The Office Action then states that Ittycheria does not explicitly teach updating the model after a successful recognition, but then relies on Netsch as teaching updating the model after a successful recognition. However, Netsch does not teach or suggest the features of independent claim 1 missing from Ittycheria. That is, Netsch does not teach or suggest to report a voice recognition success and to perform the command corresponding to the recognized word when the compared result is at least the reference value. Accordingly, independent claim 1 defines patentable subject matter.

Each of independent claims 3 and 7 define patentable subject matter. For example, independent claim 3 is amended to include features similar to those previously recited in dependent claim 6 and independent claim 7 is amended to include features previously recited in dependent claim 17. More specifically, independent claim 3 recites performing an operation

based on the received voice data and associated with the reference voice model upon success of the voice detection. Furthermore, independent claim 7 recites executing a command associated with the reference voice model upon a positive correspondence of the reference voice model and the voice data from the user.

In rejecting previous claims 6 and 17, which included features related to amended claims 3 and 7, the Office Action appears to assert that Ittycheria (at column 6, lines 1-26) teaches comparing models to reference models and selecting the best match based on the correspondence, and negatively or positively confirming a match. The Office Action then explains that Ittycheria teaches the replacement of old phrases with newly accepted phrases. However, previous independent claims 6 and 17 relate to different features than those addressed in the Office Action, which will now be explained with respect to claims 3 and 7. That is, independent claim 7 specifically recites executing a command associated with the reference voice model upon the positive correspondence of the reference voice model and the voice data from the user. Furthermore, independent claim 3 recites performing an operation based on the received voice data and associated with the reference voice model upon success of the voice detection. Ittycheria and Netsch do not teach or suggest these features. Accordingly, each of independent claims 3 and 7 defines patentable subject matter at least for this reason.

Furthermore, new independent claim 24 defines patentable subject matter for at least similar reasons as set forth above. That is, independent claim 24 recites performing a command based on the received user voice and corresponding to the retrieved word when the compared result is at least a reference value. Independent claim 24 further recites modifying the reference

voice model based on the characteristics of the user voice. For at least the reasons set forth above, Ittycheria and Netsch do not teach or suggest these features. Accordingly, independent claim 24 defines patentable subject matter.

Accordingly, each of independent claims 1, 3, 7 and 24 defines patentable subject matter. Each of the dependent claims depends from one of the independent claims and therefore defines patentable subject matter for at least similar reasons. In addition, the dependent claims also recite features that further and independently distinguish over the applied references. For example, dependent claim 18 recites performing the command begins at least prior to modifying the reference voice model. See also dependent claims 21, 23 and 27. Ittycheria and Netsch do not teach or suggest these features in combination with the other features of their corresponding independent claims.

Additionally, dependent claim 19 recites that performing the operation associated with the reference voice model comprises performing a command associated with the detected characteristics of voice data when the comparing is successful. Additionally, dependent claim 20 (and similarly dependent claim 22) recites that the command corresponds to a recognized word of the voice data from the user. Ittycheria and Netsch do not teach or suggest these features. Thus, these dependent claims define patentable subject matter for at least this additional reason.

For at least reasons set forth above, each of claims 1-5, 7-16 and 18-27 defines patentable subject matter. Withdrawal of the outstanding rejection is respectfully requested.

CONCLUSION

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance of claims 1-5, 7-16 and 18-27 are earnestly solicited. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **David C. Oren**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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